APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,069	03/06/2001	Rose Mary Farenden	FMC 1335 PUS / 200-1707	4132

			EXAMINER
28395	7590	08/12/2005	STIMPAK, JOHNNA

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075-1238

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/800,069	FARENDEN, ROSE MARY	
	Examiner	Art Unit	
	Johnna R. Stimpak	3623	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 May 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-18_ is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☐ All   b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The following is a final office action upon examination of application number

09/800,069. Claims 1 and 5-10 have been amended, claim 4 has been cancelled and claim 18 has

been added. Claims 1-18 are pending and have been examined on the merits discussed below.

Response to Amendment

2.   Amendments to claims 1 and 5-10 have been acknowledged. Newly added independent

claim 18 has been considered.

Response to Arguments

3.   Applicant's arguments filed 5/9/05 have been fully considered but they are not

persuasive. Applicant argues that neither Joao nor My Monster teach presenting an icon for

retaining the at least one employment opportunity wherein the candidate re-accesses the icon

upon subsequent log-in. Examiner respectfully disagrees. When a job seeker logs into his or her

My Monster account, each job they apply for is saved. Upon logging into his or her My Monster

account at a later time, he or she can access each job that has been applied for. In summary,

when the job seeker clicks on a suitable job and subsequently clicks on the "apply" icon, that job

listing is stored in his or her password protected My Monster account for later viewing. The

rejection to claim 1 has been modified to address this feature.

4.   As for claims 9 and 18, Applicants argue that Joao and My Monster do not teach an icon

being configured to receive input selecting a style of music to be played and play music on

response to the music selection. However, Examiner previously asserted the two references do

not teach this limitation and used the knowledge of one of ordinary skill in the art to assert the

obviousness of modifying the two references to include this limitation. This rejection is upheld.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claim 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao, US

6,662,194, in view of My Monster from Monster.com. Two articles are relied upon,

"Monster.com Launch Marks Creation of World's Leading Global Online Network for Careers"

and "Monster.com"

As per **claim 1**, Joao teaches receiving input defining a candidate's employment

credentials (column 14, lines 46-60; column 21, lines 33-40 – candidates enter personal

information concerning employment credentials, education, experience, skills, etc., is stored);

presenting at least one employment opportunity that best matches the candidate's employment

credentials (column 22, lines 42-54 – a report of matching jobs are listed); receiving input

requesting consideration for the at least one employment opportunity that best matches the

candidate's employment credentials (column 22, line 54 – column 23, line 13 – the candidate

indicates which job he/she is interested in applying for); and presenting the candidate with an

invitation to an employer-hosted recruiting event based on a comparison between the candidate's

employment credentials and candidate matching criteria associated with the at least one

employment opportunity (column 24, lines 22-49 – once both the candidate and employer express interest, the employer and the individual may proceed with the interview, employment screening and/or recruitment process). Joao teaches an online job search system but does not teach additionally comprising presenting an icon for retaining the at least one employment opportunity wherein the candidate re-accesses the icon upon subsequent log-in. My Monster from monster.com includes a password-protected area where members are able to store information concerning job searches, application histories, resumes, etc ("Monster.com" page 2, "my monster" paragraph). Since Joao teaches an online job search system wherein a candidate can enter search criteria it would have been obvious to one of ordinary skill in the art to incorporate Monster's "my monster" feature wherein a user can store information concerning job searches in a password protected area of the website. This added feature allows a user to more quickly retrieve previous job searches, resumes, etc.

As per **claim 2**, Joao teaches presenting a candidate with an employment skills questionnaire (column 14, lines 46-60; column 25, lines 36-44 – the candidate enters personal information concerning employment credentials, education, experience, skills, etc.,); and presenting the candidate with an invitation to an employer-hosted recruiting event for further evaluation based on a comparison between the candidate's response to the employment skills questionnaire and candidate matching criteria associated with at least one employment opportunity (column 24, lines 22-49 – once both the candidate and employer express interest, the employer and the individual may proceed with the interview, employment screening and/or recruitment process).

As per **claim 3**, Joao does not explicitly teach the site is additionally programmed to present an invited candidate with an employer offer prior to the conclusion of the employer-hosted recruiting event. It is old and well known in the art of recruiting to present and offer of employment. Joao does teach communication between the candidate and the employer using several means of electronic communication. Therefore it would have been obvious to indicate and offer of employment to the candidate through the site since this would be a quicker method of communicating with the candidate.

As per **claim 5**, Joao does not explicitly teach the icon is configured to receive input requesting consideration for the at least one retained employment opportunity. My Monster from Monster.com teaches applying to the jobs through the personalized My Monster page. Since Joao teaches an online job search system wherein a candidate can enter search criteria it would have been obvious to one of ordinary skill in the art to incorporate Monster.com's "my monster" feature wherein a user can store information concerning job searches and apply to jobs in a password protected area of the website ("Monster.com", page 1, paragraph 5). This added feature allows a user to more quickly retrieve previous job searches, resumes, etc, and to contact the employer to apply for the position.

As per **claim 6**, Joao does not explicitly teach the icon is configured to receive input for selecting and deleting a retained employment opportunity. My Monster from Monster.com teaches selecting a saved job description to apply for ("Monster.com" page 1, paragraph 4 and 5). Since both Joao and Monster.com teach internet job search systems, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the My monster features of Monster.com into Joao so the candidate could access stored job search

results and select and apply to them. This modification gives the user the ability to have a more efficient way to retrieve past information to simplify the task of searching for a job.

As per **claim 7**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to receive input for selecting a graphical theme for the icon. However it is old and well known in the art of the Internet for a user to customize a websites. This customization makes for a more personalized experience for the user and thereby would aid in the retention of that user to the site.

As per **claim 8**, Joao does not explicitly teach the icon is configured to receive input for requesting a detailed description of a retained employment opportunity and present a detailed description of a retained employment opportunity in response to the input. My Monster from monster.com allows a user to retain job search results that would inherently include the ability to click on the results to read a detailed description of the opportunity. Since both Joao and Monster.com teach internet job search systems, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the My Monster features of Monster.com into Joao so the candidate could access stored job search results. This modification gives the user the ability to have a more efficient way to retrieve past information to simplify the task of searching for a job.

As per **claim 9**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to receive input selecting a style of music to be played and play music on response to the music selection. However it is old and well known in the art of the Internet for a user to customize a websites. This customization makes for a more personalized experience for the user and thereby would aid in the retention of that user to the site.

As per **claim 10**, the combination of Joao and Monster.com does not explicitly teach the icon is configured to forward a retained employment opportunity to another candidate. However since Joao teaches the use of electronic communications using email, etc., it would have been obvious for the candidate to forward an employment opportunity to another candidate, so long as the email address is available. This modification allows a candidate to send a job description on to a friend or colleague who may be interested in that job.

As per **claim 11**, Joao teaches the use of videophones and interactive television in conjunction with the Internet but does not explicitly teach the site additionally programmed to present a candidate with a multimedia presentation introducing a recruiter. However given that Joao teaches the use of videophones and interactive television, it would have been obvious to one of ordinary skill in the art at the time of the invention to introduce the recruiter using a multimedia presentation, this allows for simulated face-to-face contact without incurring the travel that may be associated with a meeting between the candidate and the recruiter.

As per **claim 12**, Joao does not explicitly teaches the recruiter that is introduced has an educational or professional background similar to that of the candidate's. Inherently, a recruiter has a similar background to those jobs for which he/she is recruiting; therefore the recruiter would have a similar background to the candidate.

As per **claim 13**, Joao teaches the site additionally programmed to present a candidate with a message center for communicating with recruiting staff during the recruiting process (column 13, lines 1-21 – the employer and candidate can communicate during the recruiting process through a number of ways including email, videophone, interactive television, etc).

As per **claim 14**, Joao teaches the message center presents the candidate with an offer for employment (inherently the communication system can be used to present an offer of employment).

As per **claim 15**, Joao teaches the message center receives candidate scheduling information for the employer-hosted recruiting event. Inherently the communication between the employer and candidate would include schedule information since interviews and employment screenings are performed (column 24, lines 33-35).

As per **claim 16**, Joao teaches the message center presents the candidate with instructions during the recruiting process (column 23, lines 35-50 – the employer can instruct the candidate to submit additional information).

As per **claim 17**, Joao teaches the message center receives any special needs of the candidate during the recruiting process (column 23, lines 35-50 – the information requested by the employer can include any information of interest to the employer therefore, inherent to this would be special needs of the candidate).

As per **claim 18**, Joao teaches receiving input defining a candidate's employment credentials (column 14, lines 46-60; column 21, lines 33-40 – candidates enter personal information concerning employment credentials, education, experience, skills, etc., is stored); presenting at least one employment opportunity that best matches the candidate's employment credentials (column 22, lines 42-54 – a report of matching jobs are listed); receiving input requesting consideration for the at least one employment opportunity that best matches the candidate's employment credentials (column 22, line 54 – column 23, line 13 – the candidate indicates which job he/she is interested in applying for); and presenting the candidate with an

invitation to an employer-hosted recruiting event based on a comparison between the candidate's

employment credentials and candidate matching criteria associated with the at least one

employment opportunity (column 24, lines 22-49 – once both the candidate and employer

express interest, the employer and the individual may proceed with the interview, employment

screening and/or recruitment process). Joao teaches an online job search system but does not

teach additionally comprising presenting an icon for retaining the at least one employment

opportunity wherein the candidate re-accesses the icon upon subsequent login. My Monster

from monster.com includes a password-protected area where members are able to store

information concerning job searches, application histories, resumes, etc ("Monster.com" page 2,

"my monster" paragraph). Since Joao teaches an online job search system wherein a candidate

can enter search criteria it would have been obvious to one of ordinary skill in the art to

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searches in a password protected area of the website. This added feature allows a user to more

quickly retrieve previous job searches, resumes, etc. In addition, the combination of Joao and

My Monster does not explicitly teach the icon is configured to receive input selecting a style of

music to be played and play music on response to the music selection. However it is old and

well known in the art of the Internet for a user to customize a websites. This customization

makes for a more personalized experience for the user and thereby would aid in the retention of

that user to the site.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Johnna R. Stimpak whose telephone number is 571-272-6736.

The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS
8/10/05

SUSANNA M. DIAZ
PRIMARY EXAMINER

AU 3623